

Senate Bill No. 588

Passed the Senate August 28, 2008

Secretary of the Senate

Passed the Assembly August 21, 2008

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2008, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Sections 81053 and 81054 to the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 588, Runner. Postsecondary education: community college school buildings.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state.

Existing law requires the Department of General Services (department) to supervise the design and construction of certain school buildings, including specified community college facilities, to ensure that plans and specifications comply with specified structural safety standards and to ensure that the work of construction has been performed in accordance with the approved plans and specifications, for the protection of life and property. Existing law also requires the department to pass upon and approve or reject all plans for the construction of, and in some cases, the alteration of, any school building subject to those provisions, and to inspect the school buildings and work of construction or alteration that in its judgment is necessary or proper for the enforcement of these requirements and the protection of the safety of the students, the instructors, and the public. These requirements are part of the body of law known as the Field Act.

Existing law requires school buildings that are constructed, reconstructed, modified, or expanded after July 1, 2006, on a community college campus to be built according to the Field Act or according to the California Building Standards Code, as adopted by the California Building Standards Commission.

This bill would require the department to develop and submit, in consultation with the board of governors, by June 1, 2009, to the California Building Standards Commission proposed building

standards for adoption as part of the California Building Standards Code that will govern the construction, reconstruction, modification, or expansion of school buildings of a community college district, if the community college district elects not to utilize the Field Act. The department would be required to review and include, where appropriate, in these standards the standards that govern the California State University.

The bill would require the Legislative Analyst's Office (LAO) to undertake a fact-based analysis of the length of time the department and the community colleges take to perform their respective functions to complete community college construction and alteration projects, and compile this information in a report. The bill would require the Department of General Services to convene a working group to analyze the report and the current process to complete community college construction and alteration projects and develop recommendations for changes, if any, in the project development and review process to ensure the public safety of community college facilities through a collaborative, consistent, cost-effective, and timely project development and review process.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature that:

(a) This act ensure the construction of community college facilities in a safe, cost-effective, and timely manner.

(b) The Department of General Services be staffed appropriately to perform the tasks assigned to it, including plan review and oversight, to ensure the timely, cost-effective, and safe delivery of community college facilities.

(c) The process created pursuant to this act be implemented in a manner to ensure that community college districts realize time and cost savings in the construction process while meeting the same seismic safety performance levels as the Field Act.

SEC. 2. Section 81053 is added to the Education Code, to read:

81053. (a) To ensure that community college districts are able to effectively exercise the option of utilizing the Field Act or the California Building Standards Code, as provided in Section 81052, and construct buildings safely, cost effectively, and in a timely manner, the Department of General Services shall develop and submit, in consultation with the Board of Governors of the

California Community Colleges, by June 1, 2009, to the California Building Standards Commission proposed building standards for adoption as part of the California Building Standards Code that will govern the construction, reconstruction, modification, or expansion of school buildings of a community college district as provided in Section 81052, if the community college district elects not to utilize the Field Act. The Department of General Services shall review and include, where appropriate, in these standards the standards that govern the California State University. The proposed building standards shall provide for independent plan review and oversight to be performed by the Department of General Services. The standards shall become effective 30 days after adoption by the California Building Standards Commission.

(b) The Department of General Services shall be responsible for plan reviews consistent with Section 81133.

SEC. 3. Section 81054 is added to the Education Code, to read:

81054. (a) The Legislative Analyst's Office (LAO) shall undertake a fact-based analysis of the length of time the Department of General Services and the community colleges take to perform their respective functions to complete community college construction and alteration projects. This information shall be compiled in a report made available to the Legislature and the Governor by March 1, 2009.

(b) Following the issuance of the report described in subdivision (a), the Department of General Services shall convene a working group advisory committee consisting of a representative from the Department of General Services, the Board of Governors of the California Community Colleges, the Associated General Contractors of California, and the Professional Engineers in California Government. The working group shall analyze the report and the current process to complete community college construction and alteration projects and develop recommendations for changes, if any, in the project development and review process to ensure the public safety of community college facilities through a collaborative, consistent, cost-effective, and timely project development and review process. The recommendations shall include proposed timeframe goals for the performance of each specific task performed by the Department of General Services and by private design professionals performing services for a community college district and an assessment of the staffing and

other resource needs of the Department of General Services to perform its tasks related to the construction or alteration of community college facilities. The recommendations shall be submitted in writing to the Department of General Services, working group members, the Senate and Assembly Committees on Appropriations, the Senate Committee on Education, the Assembly Committee on Higher Education, and the education budget subcommittees of the Assembly and Senate by December 31, 2009.

Approved _____, 2008

Governor